

**UNITED STATES NAVY-MARINE CORPS  
COURT OF CRIMINAL APPEALS  
WASHINGTON, D.C.**

**Before  
B.L. PAYTON-O'BRIEN, J. MCFARLANE, T.R. ZIMMERMANN  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**JOSHUA L. JONES  
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 201100681  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 7 October 2011.

**Military Judge:** LtCol Steven Logan, USMC.

**Convening Authority:** Commanding officer, Headquarters and Support Battalion, Marine Corps Base, Camp Pendleton, CA.

**Staff Judge Advocate's Recommendation:** LtCol P.A. Tafoya, USMC.

**For Appellant:** CAPT Diane Karr, JAGC, USN.

**For Appellee:** Mr. Brian Keller, Esq.

**15 August 2012**

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**OPINION OF THE COURT**  
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After careful consideration of the record, submitted without assignment of error, we affirm the findings and sentence as approved by the convening authority. Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c).<sup>1</sup>

For the Court

R.H. TROIDL  
Clerk of Court

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<sup>1</sup> The supplemental CMO will reflect that the military judge found the appellant not guilty of the excepted words "he was apprehended" and that as a result of that finding the government's subsequent motion to withdraw that part of the specification was untimely, and the military judge's granting of the motion was a legal nullity.